

Application No.: 10/762,776  
Amendments dated November 15, 2007  
Response

### REMARKS

By the paper mailed July 26, 2007 claims 1, 4, 6, 7, 9, 10, 14 and 16 were rejected under 35 U.S.C. §102(b) as being anticipated by Leone. These claims have been amended and for reasons presently to be described are believed clearly distinguishable from and not anticipated by Leone.

Claims 1, 2, 5 - 8, 10, 11, 13, 15, 17, 19, 20 and 21 were rejected under 35 U.S.C. §102(e) as being anticipated by Leek. These claims have also been amended and for reasons presently to be described, as amended, are believed clearly distinguishable from Leek.

Turning to the references of record, the patent to Leone discloses a bracket assembly having a first portion F engaging a first elongate structural member 12 and a second portion S engaging a second structural member 14. However, nowhere does Leone disclose or suggest a bracket assembly for interconnecting first and second elongate structural members wherein the bracket assembly comprises first and second interconnected cooperating brackets disposed in engagement with the first and second elongate structural members. The Examiner identifies the cooperating Leone brackets as 16 and 18. Clearly, these brackets are

## **REMARKS continued**

not interconnected but rather are vertically spaced-apart. Nor does Leone disclose or suggest first and second bolts interconnecting together the first and second cooperating brackets as now specifically set forth in the claims as amended.

As set forth on page 4 of the Specification as filed, a specific object of Applicant's invention is to provide a connector assembly which is made up of a pair of strategically confronting gripping plates that are aligned in a confronting relationship and are securely bolted together by strategically located through bolts.

The examiner takes the position that the phrase "for interconnecting said first and second cooperating brackets to the first and second elongate structural members and to each other" is considered intended use and is given no patentable weight. Applicant respectfully disagrees. However, claim 2 as amended now claims the bolts as structural elements that comprise a part of the bracket assembly and function to connect together the first and second brackets. No such structure is shown by Leone. Similarly, Leone fails to disclose or suggest Applicant's important gusset arrangement, i.e., the important first, second and third walls as set forth in the claims.

Claims 3 - 9 depend on amended claim 1 and partake of its allowability.

Claim 10 has been amended to provide for "a bracket assembly for interconnecting first and second elongate structural members, said bracket

## **REMARKS continued**

assembly comprising substantially identical first and second interconnected brackets". Claim 10 as amended also positively claims the bolts that connect together the first and second brackets. For the reasons discussed in connection with amended claim 1, it is respectfully submitted that Leone neither discloses nor suggests a bracket assembly such as that defined by amended claim 10.

Claims 11 - 16 depend on claim 10 and partake of its allowability.

Claims 17 through 20 have been cancelled.

Claim 21 has been amended in a manner to independently claim the first and second brackets, to claim their interrelationship with one another and to positively claim the bolts that function to interconnect the first and second brackets. Once again, it is respectfully submitted that the Leone reference neither discloses nor suggests a bracket assembly of the character defined in amended claim 17.

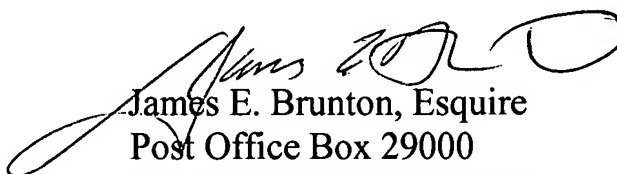
The new reference to Leek discloses a bracket assembly having first and second spaced-apart brackets *m* and *n* that are connected to elongate structural members but are not connected to each other. As was the case with the Leone reference, it is respectfully submitted that Leek neither discloses nor suggests a bracket assembly of the character defined in the amended claims. More particularly, Leek neither discloses nor suggests a bracket assembly made up of first and second brackets that are connected together by connector members as now

**REMARKS continued**

required by the amended claims. Accordingly, it is believed that the claims, as amended, are clearly distinguishable from and not anticipated by the patent to Leek.

For the foregoing reasons, the Application as amended is now believed to be in condition for allowance and such favorable action is respectfully requested.

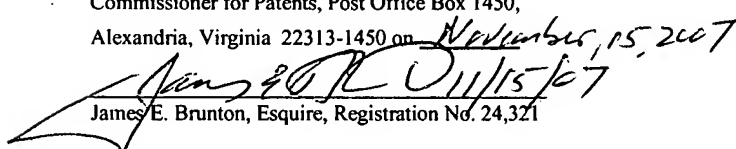
Respectfully submitted,



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Enclosures

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in the envelope addressed to Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450 on November 15, 2007



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